



4739

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX FWC

Docket No. 1496-124A

Anticipated Classification
of this application:

Class Subclass

Prior application:

Examiner: K. Jordan

Art Unit: 1205

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D. C. 20231

Sir:

This is a request for filing a continuation application under 37 CFR 1.62, of pending prior application Serial No. 07/645,457, filed on January 24, 1991 of DAVID JOHN KYLE for MICROBIAL OIL MIXTURES AND USES THEREOF.

1. [X] In accordance with 37 CFR 1.62, the file of the prior application, as amended through December 23, 1991, constitutes this continuation application, and the prior application is hereby abandoned upon the granting of a filing date to this continuation application.
2. [X] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement submitted in the prior application.
3. [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
4. [] Please enter the amendments under 37 CFR 1.116 filed on and which were unentered in the prior application.
5. [] A Preliminary Amendment is enclosed.
6. [X] The filing fee is calculated below:

CLAIMS AS AMENDED IN THE PRIOR APPLICATION, AND
AS AMENDED BY ANY ACCOMPANYING PRELIMINARY AMENDMENT

| | Number filed | | Number extra | | Small Entity Rate |
|------------------------------------|-----------------|--------|-----------------|--------------|-------------------|
| Base Fee | | | | | \$ 345.00 |
| Total Claims | 66 | - 20 = | 46 | x \$10.00 = | 460.00 |
| Independent Claims | 8 | - 3 = | 5 | x \$36.00 = | 180.00 |
| Multiple Dependent Claim Presented | | | | + \$110.00 = | 0 |
| Total filing fee..... | | | | | \$ 985.00 |

7. [X] A check in the amount of \$985.00 is enclosed. Please charge any additional fees which may be required, or credit any overpayment to Account No. 02-2135. A duplicate copy of this sheet is enclosed.
8. [X] Amend the specification by inserting before the first line on page 1 the sentence: --This is a continuation of application Serial No. 07/645,457, filed January 24, 1991.--
9. [] Priority of application Serial No., filed on in is claimed under 35 USC 119.
- [] The certified copy has been filed in prior application Serial No. , filed .
10. [X] The prior application is assigned of record to MARTEK CORPORATION.
11. [X] The power of attorney in the prior application is to:
G. Franklin Rothwell, Reg. No. 18,125
E. Anthony Figg, Reg. No. 27,195
Barbara G. Ernst, Reg. No. 30,377
George R. Repper, Reg. No. 31,414
- [X] The power appears in the original papers in the prior application.
- [X] Address all future communications to:
E. Anthony Figg
ROTHWELL, FIGG, ERNST & KURZ, p.c.
Suite 701-E, 555 13th Street, N.W.
Washington, D. C. 20004

Respectfully submitted,

ROTHWELL, FIGG, ERNST & KURZ, p.c.

By Barbara G. Ernst
Barbara G. Ernst
Attorney for Applicants
Registration No. 30,377

Suite 701-E, 555 13th Street, N.W.
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Telephone: (202)783-6040



435:02-19/944739

A/FWC

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#12/B
JRP
11/9/92

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Washington, D. C. 20231

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8. [X] Amend the specification by inserting before the first line on page 1 the sentence: This is a continuation of application Serial No. 07/645,457, filed January 24, 1991. -- now abandoned

9. [] Priority of application Serial No., filed on in is claimed under 35 USC 119.

[] The certified copy has been filed in prior application Serial No. , filed .

10. [X] The prior application is assigned of record to MARTEK CORPORATION.

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